

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jane Hirsh, Roman V. Rariy, Shubha Chungi, and Michael Heffernan

Serial No.: 10/691,936

Art Unit: 1615

Filed: October 23, 2003

Examiner: Humera N. Sheikh

For: *MODIFIED RELEASE COMPOSITIONS OF MILNACIPRAN*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit a Supplemental Information Disclosure Statement, including two (2) pages of Form PTO-1449, and a copy of one (1) document cited therein. This Supplemental Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) prior to a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any fees to Deposit Account No. 50-1329.

Certification Under 37 C.F.R. §1.97 (e)(1)

Each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

Certification Under 37 C.F.R. §1.704 (d)

Each item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this Supplemental Information Disclosure Statement.

U.S. Patents

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
7,008,640	03-07-2006	Watanabe, et al	424/458

Publications

MENZA et al., "Modafinil augmentation of antidepressant treatment in depression", *J. Clin. Psychiatry*, 61(5):378-81 (2000).

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DISCLOSURE STATEMENT

Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

/Patrea L. Pabst/

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